

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

CHANEL FRANCES JONES,  
Petitioner,

VS.

GINNY VAN BUREN, Warden,  
FMC-Carswell,  
Respondent.

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CIVIL ACTION NO. 4:05-CV-579-Y

ORDER ADOPTING, AS MODIFIED, MAGISTRATE JUDGE'S  
FINDINGS AND CONCLUSIONS

In this action brought by petitioner Chanel Frances Jones under 28 U.S.C. § 2241, the Court has made an independent review of the following matters in the above-styled and numbered cause:

1. The pleadings and record;
2. The proposed findings, conclusions, and recommendation of the United States magistrate judge filed on September 20, 2005; and
3. The petitioner's written objections to the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on October 11, 2005.

The Court, after de novo review, concludes that Jones's objections to the magistrate judge's findings and conclusions as to the issue of ripeness of this petition must be sustained; but further concludes that Jones's remaining objections must be overruled, and that the petition for writ of habeas corpus should be denied,<sup>1</sup> for the reasons stated in the magistrate judge's report at pages 4-5.

Therefore, the findings, conclusions, and recommendation of

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<sup>1</sup>Jones relies on an unpublished opinion in *Moreland v. Bureau of Prisons*, No. H-04-3658 (S.D.Tex.), report and recommendation adopted, (S.D.Tex. March 31, 2005), in support of her interpretation of the calculation of good time credit under 18 U.S.C. § 3624(b). This Court, however, is bound by the Fifth Circuit's precedent in *Sample v. Morrison*, 406 F.3d 310, 312-313 ((5<sup>th</sup> Cir. 2005)(per curiam), rejecting the identical argument Jones makes in this case. See *Taylor v. United States Bureau of Prisons*, No. Civ. A. H-05-2399, 2005 WL 1799619, at \*2 (S.D.Tex. July 27, 2005).

the magistrate judge, except as to the issue of ripeness of, are ADOPTED.

Chanel Frances Jones's petition for writ of habeas corpus under 28 U.S.C. § 2241 is DENIED.

SIGNED October 19, 2005.

  
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TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE